

# CERTIFICATION OF REAL ESTATE PRELICENSE INSTRUCTOR

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## INSTRUCTIONS

1. Read entire instructions prior to completing the required forms.
2. Review Hawaii Administrative Rules, Chapter 99, Subchapter 5, REGISTERED REAL ESTATE SCHOOLS (see attached). Prelicense instructors must comply with all rules as outlined in this chapter.
3. Prelicense instructor certification expires and must be recertified prior to the end of each even-numbered year; failure to recertify will result in forfeiture of instruction certification. **The recertification deadline is November 30<sup>th</sup> of each even-numbered year.**
4. Only complete applications will be reviewed and considered by the Real Estate Commission. Incomplete applications will not be considered. Please allow 45 days for processing.
5. Instructor applicants may be required to appear before the Commission to demonstrate the instructor's command of and ability to communicate the prelicense course material.
6. *Prelicense Independent Study Course Instructor.* If you plan to teach a Prelicense Independent Study Course – Salesperson and/or Broker curriculum – you must also complete the Supplementary Application for Prelicense Independent Study Course Instructor.

**UNTIL RECEIPT OF WRITTEN NOTIFICATION OF APPROVAL, NO SCHOOL SHALL SCHEDULE A CLASS OR ADVERTISE WITH YOU AS THE INSTRUCTOR.**

This material can be made available for individuals with special needs. Please call the Senior Real Estate Specialist at 586-2645 to submit your request.

## CERTIFICATION OF REAL ESTATE PRELICENSE INSTRUCTOR

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Submit the following:

- ☐ Completed Application for Real Estate Prelicense Instructor Certification form.
- ☐ Completed Supplementary Application for Prelicense Independent Study Course Instructor, if applicable.
- ☐ Official results of the Instructor Examination, with a minimum passing score.
- ☐ Proof of completing a Real Estate Commission ("Commission") approved Instructor Development Workshop (IDW).
- ☐ A signed Statement of Ethical Teaching Practices and a Consent Form
- ☐ A current tuberculosis test result certifying freedom from TB.
- ☐ Provide required documentation from Questions 7 and 8.
- ☐ A check made payable to "Commerce and Consumer Affairs"

Application fee (nonrefundable)	\$50
Certification fee (refundable if denied)	\$25
Compliance Resolution Fund:	
If certification to take effect in odd-numbered year	\$90
If certification to take effect in even-numbered year	\$45
Restoration Fee (if certification forfeited)	\$10

## Instructions for "Yes" Answers on Section 11 of the Application for Prelicense Instructor Certification

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- A. The following documents must be provided at the time you apply for certification. Applications will not be considered without this material.**

Question a1)

If you have applied for, been granted, or held a real estate license in Hawaii or any other jurisdiction, list the jurisdiction, license type, and license number in the space provided. Attach a separate page if more space is required.

Questions a2, a3, a4, and a5)

These questions refer to complaints, charges of unlicensed activity, or pending disciplinary actions for any profession, occupation, or license, both real estate and those other than real estate. If your answer is "yes" to one or more of these questions, read paragraph B below, and you must submit the following:

- i. A statement by you explaining the circumstances;
- ii. Copies of any documents from the agency, including final orders, petitions, findings of fact and conclusions of law, and any other relevant documents;
- iii. A resume of any employment, business activities, and education since the date of the action; and,
- iv. You may also include statements from employers, business associates, clients, and others who can attest to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.

Question b)

If your application indicates a criminal conviction, read paragraph B below, and you must submit the following:

- i. A statement by you explaining the circumstances leading to the conviction and detailing all activities since the conviction, including employment and business involvements. Include job title, period of employment, employer's name, description of duties, training attended, and educational courses attended;
- ii. A copy of the court order, verdict, and terms of sentence;
- iii. If applicable, a copy of the terms of probation and/or parole and a statement from your probation or parole officer as to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing; and,
- iv. Statements from employers, business associates, clients, and others who can attest to your business dealings since the conviction, including a statement as to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.

Question c)

If you have any pending lawsuits, unpaid judgments, outstanding tax obligation, or any other type of involuntary liens against you, read paragraph B below, and you must submit the following:

- i. A statement by you explaining the circumstances and current status, and if no payment of payment arrangement has been made, the reason;
- ii. A resume of employment and business activities; and,
- iii. Copies of the court complaint, judgment, documentation of payment arrangements, lien documents, records of any payments, and other relevant documents.

- B. If your answer to questions a2), a3), a4), a5), b), or c) is "yes", your application will be reviewed at a monthly Real Estate Commission meeting if you have provided all applicable information and documents as described above. The Commission will not review incomplete applications. If you wish to present oral testimony at the meeting, submit a written request with your application. A courtesy notice with information on the date, time, and location of the meeting will be sent to you.**

**REAL ESTATE COMMISSION**  
**State of Hawaii**  
**Professional and Vocational Licensing Division**  
**Department of Commerce and Consumer Affairs**  
**250 South King Street, Suite 702**  
**Honolulu, Hawaii 96813**

FOR OFFICE USE ONLY	
Approved/Date:	Cert. No.:
Denied/Date:	
Cashier's Validation:	

**APPLICATION FOR REAL ESTATE PRELICENSE INSTRUCTOR CERTIFICATION**

1.	Applicant's name:	
2.	Business Address:	
3.	Residence Address:	
4.	Business Telephone:	Residence Telephone:

5. **Indicate the certification(s) for which you are applying:**

- \_\_\_\_\_ Salesperson prelicensing curriculum
- \_\_\_\_\_ Broker prelicensing curriculum
- \_\_\_\_\_ Substitute Instructor:
- \_\_\_\_\_ Salesperson prelicensing curriculum
- \_\_\_\_\_ Broker prelicensing curriculum

- \_\_\_\_\_ Independent Study Course Instructor:
- \_\_\_\_\_ Salesperson prelicensing curriculum
- \_\_\_\_\_ Broker prelicensing curriculum

(Note: A Supplementary Application for Prelicense Independent Study Course Instructor must also be submitted.)

6. I will be instructing for \_\_\_\_\_  
 Name of school

For	App	\$50	905
Cashier's Use	Cert	\$25	905
Only	CRF	\$90/\$45	583
	Svc Fee	\$15	BCF

7. Qualifications (professional): You must meet **at least one** of the following requirements.

**Provide and attach the required documentation listed for the means of qualification selected:**

- \_\_\_ a. Hold a current Hawaii real estate broker's license; have a minimum of three years full-time experience in real estate in Hawaii; and meet the current experience requirements for a broker's license.

- Attach:**
- 1) A copy of your current Hawaii real estate broker's license;
  - 2) Letters from your employers, associates or self-employed applicant's statement attesting to Hawaii real estate work-experience (submit directly to the Commission) to include dates and duration, position held, specific nature of work, and assessment of professional knowledge; and
  - 3) Complete experience certification statement.

- \_\_\_ b. A degree in law, licensed and practicing in the area of real estate law for at least two years in Hawaii.

- Attach:**
- 1) A copy of your law degree or official transcripts; and
  - 2) A statement from your employer or others attesting to two years of legal practice.

- \_\_\_ c. Current appointment to the real estate faculty of a college or university accredited by a state or federal education agency.

- Attach:**
- 1) A copy of the appointment letter; and
  - 2) A resume of teaching experience which includes subject matter, courses taught, specific dates or term of teaching contract, name and location of institutions.

- \_\_\_ d. Bachelor's degree or higher with at least three years full-time experience in real estate in Hawaii; **and** meet the current experience requirements for a Hawaii broker's license.

- Attach:**
- 1) A copy of your diploma or official transcripts;
  - 2) Letters from employers or associates or a self-employed applicant's statement attesting to Hawaii real estate work-experience (submit directly to the Commission) to include dates and duration, position held, specific nature of work, and assessment of professional knowledge; and
  - 3) Completed experience certification statement.

8. Qualifications (teaching): Provide **at least one** of the following certifications:

**Provide and attach the required documentation as listed for each area of qualification:**

- \_\_\_\_ a. Certificate of completion of a special real estate instructor institute issued within one year of this application.

**Attach** certificate.

- \_\_\_\_ b. Certificate of completion of a professional real estate curriculum leading to a professional designation accepted by the Commission (e.g. GRI, CCIM, etc.).

**Attach** certificate.

- \_\_\_\_ c. Current appointment to the real estate faculty of a college or university accredited by the state or federal Department of Education.

**Attach** a copy of the appointment letter and a resume.

- \_\_\_\_ d. Certificates of Completion from accredited salesperson and broker courses.

**Attach** certificates.

- \_\_\_\_ e. Other evidence or verification of applicant's professional certification, command knowledge and experience in the field of real estate as the Commission may determine.

**Attach** explanation, verifying documents and resume.

9. List prior real estate teaching experience of at least one year. Experience must have been within three years preceding this application for certification.

Name and Location of School	From	To	Courses

10. License Information (real estate, teacher, other profession)

License	State	Valid Dates	Status

11. CIRCLE ANSWERS TO ALL QUESTIONS AND EXPLAIN ALL "YES" RESPONSES ON A SEPARATE SHEET WITH DETAILED INFORMATION AND SUBMIT SUPPORTING DOCUMENTS (SEE INSTRUCTION SHEET FOR DOCUMENTS TO BE SUBMITTED).

- a. 1) Have you ever applied for, been granted, or held a real estate license in Hawaii or any other state? YES NO
- If yes, what state, license type, and license number? \_\_\_\_\_
- 2) Has an application for license or a real estate license ever been denied, suspended, fined, involuntarily terminated, revoked, or otherwise subject to disciplinary action? YES NO
- 3) Have any complaints or charges ever been filed against you, regardless of outcome, with the licensing agency of any state? YES NO
- 4) Have any charges of unlicensed activity ever been filed against you, regardless of outcome, with the licensing agency of any state? YES NO
- 5) Are there any pending disciplinary actions against you? YES NO
- b. During the past 20 years have you ever been convicted of a crime where there has not been an order annulling or expunging the conviction? YES NO
- c. Are there any pending lawsuits, unpaid judgments, outstanding tax obligations, or any other type of involuntary liens against you? YES NO
- d. Are you LESS than 18 years of age? YES NO
- e. Are you an alien without authorization to work in the United States? YES NO

Certification of Applicant:

I hereby certify that the statements and answers on this application and accompanying document(s) are true and correct. I understand that any statement false or untrue, or any material misstatement of fact shall constitute grounds for refusal or subsequent revocation of certification.

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**Signature of Applicant**

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**Print Name**

# STATEMENT OF ETHICAL TEACHING PRACTICES

## Prelicensing Education Instructor

I, \_\_\_\_\_, as a prelicensing education instructor for \_\_\_\_\_, do hereby promise, attest to, and affirm that I shall adhere to the highest standards of ethical practices in the performance of my instructional duties including but not limited to:

1. Teaching only course subjects, the command knowledge of which I have acquired either by training, experience or education or by combinations thereof;
2. Taking all reasonable steps to update the prelicensing education course materials and information;
3. Giving out, to the best of my knowledge and belief, current and accurate course information and materials;
4. Conducting fair and reasonable discussions, presenting alternative viewpoints, and identifying clearly an instructor's opinion of any controversial course issues within the time allotted to the topic;
5. Advising students that each should research and update any course information and materials prior to using the course information and materials in the practice of real estate;
6. Taking reasonable steps to prevent the unlicensed, unauthorized and unintended practice of any licensed profession, for example, the unlicensed practice of giving legal, accounting, or tax advice;
7. Using reasonable efforts to keep current with the state of the art teaching techniques and skills as it relates to the teaching of prelicensing education to adult learners;
8. Informing students prior to the start of class what the students can expect to learn from the course;
9. Taking reasonable steps to evaluate whether indeed the students have learned what I taught;
10. Refraining from limiting course instructions to exclusively train students to pass the licensing exam;
11. Obtaining appropriate consents and permissions before using copyrighted or patented instructional materials, products or presentations;
12. Taking reasonable steps to maintain appropriate classroom decorum and language conducive to academic learning, inquiry and research;



13. Refraining from active solicitation and advertising for, during any scheduled prelicensing education class, other businesses and products which the instructor owns or has any direct or indirect interest in; "active solicitation and advertising for" excludes a business, professional or product presentation to students listing the instructor's expertise, work experience, publications, and affiliations as part of an introductory resume;
14. Performing diligently all other duties and responsibilities required of a prelicensing education instructor as set forth in Hawaii Revised Statutes, Chapter 467 and Commission rules embodied in Hawaii Administrative Rules, Chapter 99, "Real Estate Brokers and Salespersons."

As a prelicensing education instructor, I acknowledge that failure to conform to the standards, duties and responsibilities enumerated and referred to above may be grounds for loss of certification as an instructor.

As the principal of the prelicensing education school named above, I acknowledge and agree that my omission of, intentional or negligent conduct and acts which aid and abet the prelicensing education instructor signing below to perform otherwise as the instructor has promised, attested to and affirm, and adhere to but not limited to herein, may be grounds for loss of the prelicensing real estate school's registration.

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Instructor's Signature

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Principal's Signature

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Print Name

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Real Estate School

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Date

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Date

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## CONSENT

The Real Estate Commission may use the following methods to evaluate the prelicense education / continuing education programs and to monitor compliance with prelicense education / continuing education rules.

1. Evaluations. The Commission may require that participant evaluation forms, provided by the Commission, be distributed to participants for purposes of evaluating the school / provider, instructor, and course. Schools / Providers will be responsible for obtaining, distributing, collecting, and returning the forms.
2. Drop-In Monitoring. Representatives of the Commission may attend courses on a drop-in basis. They will not register and no fees or reimbursements will be involved.
3. Investigative Monitoring. Representatives of the Commission may attend courses as a regular participant for the purpose of determining if the courses are being presented under statute, regulation, and Commission requirements. These representatives will not identify themselves as Commission representatives and will pay the required fees.
4. The Commission may, from time to time, request information regarding course offerings, attendance, examinations, and record keeping.

The undersigned acknowledges receipt and understanding of the procedures outlined above which relate to all approved prelicense education / continuing education course offerings.

I consent to inspection or monitoring by representatives of the Real Estate Commission. I agree to report any material changes in the information submitted at least 30 days prior to proposed use. I agree to retain complete records for at least three years for prelicense schools and at least four years for continuing education providers from the date of each course offering.

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Signature of Administrator/Principal

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Print Name

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Date